

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL NO. 1:07CR32

UNITED STATES OF AMERICA

VS.

DARIAN KENDALL ROBINSON

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ORDER

THIS MATTER came on for hearing before the Court on April 9, 2008, on the motion of Defendant's counsel to withdraw and the Defendant's motion to withdraw his guilty plea.

As for the motion of Defendant's court-appointed attorney to withdraw, notice of appearance has been filed by attorneys Richard Beam, Jr., and Steve Dolley, Jr., who advise they have been retained by the Defendant to represent him in these proceedings. The Court inquired of the Defendant if he had indeed accepted representation by Mr. Beam and Mr. Dolley, and Defendant advised that he had done so. Therefore, the Court will grant the motion by Defendant's court-appointed attorney, Stanford Clontz, to withdraw.

Defendant's retained counsel advised the Court that they had engaged in lengthy discussions with the Defendant regarding the consequences of proceeding with his plea in this matter versus proceeding to trial. Counsel advised the Court that pursuant to those discussions, the Defendant now wished to withdraw his motion to withdraw his guilty plea and proceed to sentencing. The Court then addressed the Defendant regarding this matter, and the Defendant assured the Court that it was his wish to proceed to sentencing and asked the Court that he be permitted to withdraw his motion. The Court granted Defendant's request.

IT IS, THEREFORE, ORDERED that the motion of Defendant's court-appointed attorney, Stanford K. Clontz, to withdraw is **ALLOWED**, and Mr. Clontz is hereby relieved of further responsibility for the representation of the Defendant herein.

IT IS FURTHER ORDERED that the Defendant's motion to withdraw his motion to withdraw his guilty plea is **ALLOWED**, and such motion is deemed withdrawn.

IT IS FURTHER ORDERED that this matter proceed to sentencing as previously scheduled for Tuesday, April 22, 2008, at 9:30 AM, in Asheville, North Carolina.

Signed: April 10, 2008

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

